



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

A

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,813	08/20/2003	Yoji Nakatani	16869S-090800US	8842
20350	7590	10/12/2005	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP			BHATIA, AJAY M	
TWO EMBARCADERO CENTER			ART UNIT	PAPER NUMBER
EIGHTH FLOOR				2145
SAN FRANCISCO, CA 94111-3834			DATE MAILED: 10/12/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/645,813	NAKATANI ET AL.
	Examiner Ajay M. Bhatia	Art Unit 2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 13 September 2005.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 24-39 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 24-39 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

***Response to Arguments***

Applicant's arguments with respect to claims 24-39 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Also note that claims 40-55 have been canceled.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country; more than one year prior to the date of application for patent in the United States.

Claims 24-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Eshel et al. (U.S. Patent 5,535,375).

For claim 24, Eshel teaches, a gateway apparatus between a client computer requesting a file access and a file server executing file access processes according to a received file access request from the client computer, comprising:

a first type protocol processing unit which is configured to receive a first type file access request according to the first type protocol from the client computer and respond to the received first type file access request, wherein a first type file system according to the first type protocol is a directory structural file system and the first type file access request includes a path ID indicating a directory including a target file and a

first type file ID indicating the target file, and the first type file ID is a unique ID in the directory; (see Eshel, Col. 5 line 64 to Col. 6 line 19)

a second type file system access unit which is configured to receive a file access request from the first type protocol processing unit and issue a second type file access request to a second type file system, wherein the second type file access request includes a second type file ID indicating the target file, and the second type file ID is a unique ID in the second type file system and assigned to the target file by the second type file system; (see Eshel, Col. 5 lines 12-27)

a directory management unit which is configured to manage a correspondence between a directory structure of the first type file system and a second type file ID of the second type file system, wherein the second type file ID use by the second type file system access unit is specified by the directory management unit based on the first type file ID included in the first type file access request; (see Eshel, Col. 5 lines 55-63, Col. 6 lines 20-42)

wherein the first type file access request is converted into the second type file access request to be used by the second type file system to access a file according to a second type protocol different from the first type protocol. (see Eshel, abstract, Col. 5 line 55 to Col. 6 line 19)

For claim 25, Eshel teaches, the gateway apparatus according to claim 24, wherein the first type file system is managed by one specific file server, and the second type file system is a distributed file system managed by plural file servers and files of

the second type file system are distributed over the plural file servers. (see Eshel, Col. 5 line 55 to Col. 6 line 19 )

For claim 26, Eshel teaches, the gateway apparatus according to claim 25, wherein the first type protocol processing unit is configured to receive a first type file access request according to NFS, CIFS or both. (see Eshel, Col. 5 line 64 to Col. 6 line 19)

For claim 27, Eshel teaches, the gateway apparatus according to claim 24, wherein the first type protocol processing unit is configured to register a path ID and a first type file ID of a new file created according to the first type protocol to the directory management unit. (see Eshel, Col. 7 line 61 to Col. 8 line 5, Col. 8 lines 22-29)

For claim 28, Eshel teaches, the gateway apparatus according to claim 24, wherein the gateway apparatus is configured to register a path ID, a first type file ID, and a second type file ID or a new file, which is created according to the second type protocol, to the directory management unit. (see Eshel, Col. 8 lines 22-29)

For claim 29, Eshel teaches, the gateway apparatus according to claim 24, wherein the correspondence between the directory structure of the first type file system and the second type file ID of the second type file system managed by the directory management unit is different from a correspondence between a directory structure of

the first type file system and the second type file ID of the second type file system managed by another directory management unit of another gateway apparatus. (see Eshel, Col. 9 lines 11-17)

For claim 30, Eshel teaches, the gateway apparatus according to claim 29, wherein the gateway apparatus is configured to provide a different structure of the first type file system from the another gateway apparatus with the client computer based on the correspondence managed by the directory management unit. (see Eshel, Col. 5 line 55 to Col. 6 line 19)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 31-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eshel in view of Senator et al. (U.S Patent 5,761,677).

For claim 31, Eshel teaches, the gateway apparatus according to claim 24, wherein when file data is updated in the second type file system, a new second type file ID, before updating, is assigned to the update file. (see Eshel-Senator, Col. 9 lines 39-67, Col. 10 lines 1-25)

Eshel fails to clearly disclose, which is different from a second type file ID of the file Senator teaches, which is different from a second type file ID of the file (see Senator, Col. 3 lines 52-58)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Eshel with Senator because Senator provided motivation to be added to existing file system, such as NFS. (see Senator, Col. 2 lines 10-13, Col. 3 lines 46-51)

For claim 32, Eshel-Senator teaches, the gateway apparatus according to claim 31, wherein each second type file ID has an ID indicating a file group including a file and other generation files associated with the file. (see Senator, Col. 3 lines 64-67) and (see Eshel, Col. 7 lines 41-61)

For claim 33, Eshel-Senator teaches, the gateway apparatus according to claim 32, wherein each second type file ID further has an ID indicating a generation of the file. (see Senator, Col. 3 lines 64-67) and (see Eshel, Col. 7 lines 41-61)

For claim 34, Eshel-Senator teaches, the gateway apparatus according to claim 31, wherein the gateway apparatus is configured to access the specific generation file of the second type file system based on the first type file access request according to the first type protocol. (see Senator, Col. 4 lines 45-53) and (see Eshel, Col. 7 lines 41-61)

For claim 35, Eshel-Senator teaches, the gateway apparatus according to claim 34, wherein the gateway apparatus is configured to access the specific generation file of the second type file system based on the first type file access request according to the first type file access request according to the first type protocol. (see Senator, Col. 4 lines 45-53) and (see Eshel, Col. 7 lines 41-61)

For claim 36, Eshel-Senator teaches, the gateway apparatus according to claim 31, wherein when the first type protocol processing unit receives an update request for a file, the second type file system access unit is configured to create new generation of the file for the second type file system. (see Senator, Col. 5 lines 13-23) and (see Eshel, Col. 7 lines 41-61)

For claim 37, Eshel-Senator teaches, the gateway apparatus according to claim 36, wherein the first type protocol processing unit is configured to recognize a series of update request received from the client computer, and the second type file system access unit is configured to create one new generation of the file for the series if update requests. (see Senator, Col. 5 lines 13-23) and (see Eshel, Col. 7 lines 41-61)

For claim 38, Eshel-Senator teaches, the gateway apparatus according to claim 37, wherein the first type protocol processing unit is configured to recognize the end of

the series of update request based on the file close request received from the client computer. (see Eshel, Col. 10 lines 16-25)

For claim 39, Eshel-Senator teaches, the gateway apparatus according to claim 37, wherein the first type protocol processing unit is configured to recognize the end of the series of update request based on the time interval between one update request and the next update request. (see Eshel, Col. 10 lines 16-25, Col. 8 lines 44-51)

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached UPSTO 892 (if appropriate).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

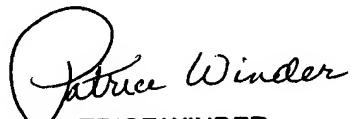
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M. Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AB



Patrice Winder  
PATRICE WINDER  
PRIMARY EXAMINER